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Serial No. 10/054,257

APR 1 7 2007

Resp. to Off. Act. of Feb. 12, 2007

UTILITY PATENT

B&D No. TN -2239

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Frederick R. BEAN et al.

Serial No.: 10/054,257

Examiner:

P. Nguyen

Filed: January 22, 2002

Group Art Unit: 3724

For: MITER SAW

Assistant Commissioner for Patents Washington, DC 20231

## RESPONSE TO OFFICE ACTION

I, Adan Ayala, PTO Reg. No. 38,373, hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office Fax No. (571) 273-8300 on 4-17-07

Adan Ayala

Dear Sir:

This is in response to the Office Action of February 12, 2007.

Currently pending in the application are Claims 1-7, 9-10 and 13-16.

The Examiner rejected Claim 13 under 35 USC § 103(a) as being unpatentable over US Patent No. 5,778,747 ("Chen") in view of US Patent No. 5,957,021 ("Meredith"). This rejection is respectfully traversed.

Claim 13 calls for a chop saw comprising a base assembly, and a saw assembly pivotably attached to the base assembly, the saw assembly comprising an upper blade guard, a plate rotatably attached to the upper blade guard, a lower blade guard rotatably attached to the plate,